

LOCAL BREVITIES.

Things were quiet in Samoa at the latest advices.

If you need any fertilizer, A. F. Cooke is the man to call on.

Rev. William Horsfall was a passenger on the Alameda yesterday.

The last of the sand bags has disappeared from the Executive Building.

U. S. Minister Willis and family have moved to Waikiki. They are domiciled at Sans Souci hotel.

Some days' later foreign news, received on the Alameda by way of Auckland, appears this morning.

Lady Glasgow, the wife of the Governor of New Zealand, is a through passenger on the Alameda.

The next mail for the Coast will be sent on the 14th inst. The steamer Gaelic will be due on that day.

Count and Countess Festetics de Tolna and their now famous yacht, are expected to arrive at Samoa shortly.

The baseball season opens tomorrow afternoon. The Hawaii and the Kamehameha will be the opposing teams.

A resident of Honolulu desires a position in an office or a wholesale house. Address "Accountant," care of this office.

Consul-General Canavarro having gone to the United States. Mr. W. M. Giffard will watch the interests of Portugal until his return.

A. Fernandez has retired from the business department of the Honolulu, and is now connected with the Hawaiian Hardware Company.

It is claimed now that quite a number of Government employees who registered did not take the trouble to go to the polls to cast their votes.

The picture of President Dole, won by Company E in the recent shooting match, has been placed in the company office and beautifully draped with silk flags.

Mrs. Gans' lecture on "Bonnie Scotland," for the benefit of the Scottish Thistle Club, will be given this evening at Kawaiaha Church, and bids fair to be a big success.

Harry Klemm, who was defeated at Wednesday's election by A. K. Kunikida, by only two votes, does not think that he was beaten, and will contest the case.

The hearing of George Ryan, the convict who attempted to escape, on a charge of assault with a deadly weapon, was not concluded in the District Court yesterday morning. It will be taken up again today.

Dr. George Trounseau was very seriously ill last evening, and at one time was not expected to live throughout the night. At 2 o'clock this morning, however, he was resting easier, and hopes were entertained for his recovery.

At the annual meeting of the Oukala Sugar Company the following officers were elected for the ensuing year: President, Robert McKibbin; Vice-President, J. N. Wright; Secretary, H. W. Mist; Auditor, J. M. Dowsett.

The examination of C. B. Wilson and J. M. Brown, who were mixed up in the Gallagher mayhem case, will take place next Tuesday. Gallagher was committed for trial yesterday. He will be tried during the May term of the Circuit Court.

There will be a battalion drill this evening on Palace Square. Four companies will take part. The military authorities very considerably selected this evening so as not to interfere with the performances given by the Dailey company at the Opera House.

The fractional vote was not much used yesterday. In some cases, however, voters cast odd fractions, probably more as a joke than anything else. One enterprising individual divided his vote into a number of seventenths, and made a whole lot of trouble to those who wished to be exact in their footings.

Some New Arrivals.

Commissioner Marsden received a letter from Prof. Koehle yesterday. The professor is in Australia and is working hard. He sent, besides his letter, a number of bugs of the different varieties which are to rid the islands of their tree pests.

Mr. Marsden was very busy yesterday distributing his new acquisitions where they would do the most good. They were in good condition and have already gone to work with a will.

BEN GALLAGHER EXAMINED.

He Is Committed for Trial to the Circuit Court.

THE TESTIMONY AS GIVEN IN COURT.

Two Witnesses Swear to Having Seen the Defendant Bite Peterson's Ear.—The Defense Offers no Evidence.—Gallagher Put Under a Bond of \$1000.

The examination of Ben Gallagher, the man who is accused of biting off a piece of Bert Peterson's right ear, took place yesterday afternoon in the District Court.

There was a motley gathering in the court room during the hearing. The first witness called was W. F. Love, who described how the fight started. He stated that he and Peterson were talking in a friendly manner and during the conversation Peterson jokingly referred to Love as a royalist, and the next he knew or saw was that Gallagher made a rush for Peterson and struck him. Love then left the saloon.

Peter M. Lucas, a barkeeper at the hotel, was next called. He said the trouble started about ten o'clock. Gallagher had been in the barroom for about an hour and during that time he had several drinks, but did not appear to be in a quarrelsome mood.

Lucas was behind the bar, and when the trouble commenced he immediately ran out in front of the counter and saw Gallagher holding Peterson with one hand and punching him with the other. A moment later both men fell to the floor. The witness then tried to stop the fight, but was interfered with by Brown, who threw him to one side, saying, "Let them alone; let them have a fair fight." Lucas replied that it was not a fair fight as he (meaning Peterson) was only a boy. He then appealed to Wilson, saying, "Don't let them fight; he will kill the boy." Wilson then separated Gallagher and Peterson and both men got on their feet and immediately clinched again. Mr. Lewis, the manager of the hotel, then appealed to the crowd to stop the fight and tried to get near Gallagher himself but was prevented from doing so by Brown. The witness was not in the room when the biting took place. After the first interference by Wilson nothing was done to stop Gallagher from assaulting Peterson, and later on both Wilson and Brown remarked, "let them have a fair fight." Brown was walking around keeping people away from the two fighters. Peterson took a billiard cue from Wilson and started towards Gallagher. Wilson took the cue away from Peterson and Gallagher again attacked him. Peterson jumped over the table and Gallagher went after him. Both fell down, and Gallagher got on top of Peterson. I heard Peterson say something, but I could not tell whether it

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these people. I thought it dangerous. I appealed to a bystander to help me, but he wouldn't do it. Peterson did not seem to have any show, and was making no fight. I heard some one say "He's done," and then I went up stairs and telephoned for a policeman. Peterson had appealed for help several times, but he got none. When I got back Gallagher was sitting down and a policeman came in. The policeman came in. The policeman told Gallagher to come with him, and Gallagher said he would not go unless he had a warrant. Other people in the saloon objected to Gallagher's arrest. He was not arrested.

Frank Vida testified as follows: "I was playing billiards with Peterson. I had my back turned when the fight commenced. I turned around, and saw Gallagher and Peterson struggling. Peterson had one hand on the bar and the other around Gallagher's neck. They fell to the floor. Peterson called for help while on the floor. I wanted to help him, but I was prevented by someone; I do not know whom. All through the fight Peterson was trying to defend himself from Ben. Gallagher was bumping his head on the floor. When they were separated Peterson took a billiard cue and started for Gallagher. He had gone about six feet, when Wilson interfered and took the cue from his hands. At this time Gallagher was coming toward Peterson. When Gallagher reached Peterson the cue was out of his hands. They began to fight again. I did not see the biting, as I was on the other side of the room. I heard Peterson call out, 'He's got my thumb.' He spoke like a person who was in pain. The next I saw, Peterson and Gallagher were against the table, still fighting. Their heads were close together, Gallagher leaning over Peterson. Then they separated, and I was told that Peterson's ear was bitten. I heard no altercation between Peterson and Gallagher prior to the fight. While they were fighting against the billiard table they fell and rolled out backwards and Peterson kicked him."

Cross examination—Peterson had only had one drink that I know of. When he came back to the room he had two bottles with him. I saw Wilson try to separate the fighters once.

W. T. Monsarrat said: "When Gallagher and Peterson were together against the table I came toward them. I said: 'My God, he's got his ear in his mouth.' They then broke away, and Gallagher spat on the table. A billiard ball came sailing in that direction and I left. I do not know how long Gallagher had Peterson's ear in his mouth. Gallagher spit out some blood on the table. Peterson's ear was bleeding. I went out then."

Mortimer Snow—"I was present at the fight last Friday. I was upstairs and heard some one say there was a fight. I went down stairs, and as I entered the room I saw one man with another's ear in his mouth. I did not know either one. The man who was doing the biting was the assailant. The other man was not striking, but was struggling. The ear was in the biter's mouth for some time, perhaps half a minute or a minute. At that time Peterson was making no defense." No cross-examination.

Dr. C. B. Cooper—"Last Friday night at the hotel I was called upon to attend Bert Peterson. His ear was bleeding; his left thumb showed tooth marks, two teeth were loosened and his eyes were badly bruised. He was very much excited, but sober. While I was washing his ear, the watchman brought up the missing piece of the ear, which I sewed on. There was a small piece missing. The ear will never be as before, even if the piece grows on. It showed the tooth marks plainly, and seemed to have been chewed. It will probably cause a disfigurement for life."

Cross-examination—"The wounds to the ear could not be caused by coming into contact with the sharp edge of a table in a fall."

Bert Peterson: "I went to the hotel about 9:45. I met Frank Vida and played a game of billiards. During the second game I went to the end of the bar. I met a friend and while talking to him I was struck several times. I jumped for my assailant and held him against the bar. Someone then kicked me on the leg. I let go of the bar and we struggled into the main room. We fell on top. Someone kicked me again and I rolled over. Gallagher was then on top, and was striking me. I turned to Charley Wilson and asked him to stop it. He said, 'No interference, fair play.' He was standing over us. Before this Wilson had said, 'Kill the G. spy.' I picked up Brown and said the same thing. We were then separated and I tried to get a billiard cue, but Wilson would not permit it. We clinched again and Gallagher got my thumb in his mouth. I called for help. We fell again and Gallagher rolled under the table. I rose and kicked him. We clinched again and he got my ear in his mouth. I said, 'Ben Gallagher, if you bite my ear you'll get two years in jail.' I tried to pull my ear away, but could not. Then he bit a piece out. I then went up stairs and saw Dr. Cooper. He attended to me. One of the officers of the Philadelphia brought the piece of my ear upstairs." The rest of his testimony was a corroboration of the other witnesses. No cross-examination was held.

The prosecution then closed. The defense rested on the evidence of the prosecution and Judge Robertson held Gallagher in \$1000 bonds to stand trial in the Circuit Court. The bond was furnished by Cecil Brown.

C. B. Wilson was an interested spectator of the proceedings, and listened attentively to the testimony. W. A. Kinney and Deputy-Marshal Brown were conducting the case for the prosecution, and Cecil Brown defended Gallagher.

Another Fight.

Two local light-weights, Smith and Ritchie, had a two round battle yesterday in a house not over a mile from Beretania street. The gloves used were a trifle over the regulation weight. The first round was a sharp one, and in the second, Ritchie succeeded in putting his antagonist out. It is said that another contest between the two is on the tapis.

THE COUNCILS IN SESSION.

The Chinese Immigration Law Passes Its Final Reading.

REPORT OF THE CHIEF JUSTICE.

Clubs and Leagues Forget to Petition.—The Amendment to the Chinese Immigration Law, Placing Further Restrictions on Importation Adopted.—Emmeluth Objects to the Japanese.

The Councils were called to order at 1:35 p. m., President Dole in the chair. Present: Ministers Hatch, King, Smith and Damon; Vice-President Wilder, Councilors Ena, Waterhouse, Emmeluth, Allen, Smith, Mendonca, Morgan, Nott and Tenney. Mr. Suhr came in later.

The minutes of the preceding meeting were read and approved.

REPORTS.

The Minister of Finance presented the weekly financial statement as follows:

FINANCIAL STATEMENT FOR THE WEEK ENDING MAY 2, 1894.

Current Account, balance April 25, 1894.....\$ 228,201 02

RECEIPTS.

Interior Department.....	\$ 4,238 00
Customs receipts.....	11,749 79
Fines, etc.....	1,101 20
Revenue Stamps.....	98 20
Water.....	302 30
Post Office.....	2,014 37
Registry Office.....	581 00
Government Realizations.....	44 40
Taxes.....	1,024 02
Crown Lands.....	950 35
Inheritance Tax.....	1,040 64
Sale of Government Bonds.....	1,000 00
Total Treasury Balance as above.....	\$228,201 02
	\$252,836 29

EXPENDITURES.

Civil list, Per. settlements and Legislature.....	\$ 1,055 00
Judiciary Department.....	4,605 75
Department of Foreign Affairs.....	3,304 50
Interior Department:—	
Salaries and Incidentals.....	1,265 00
Bureau of Survey.....	780 00
Registry of Conveyance.....	208 00
Bureau of Immigration.....	380 00
Bureau Water Works.....	913 00
Board of Health.....	3,571 50
Bureau of Public Works.....	4,125 82
Miscellaneous.....	3,552 30
Finance Department:—	
Salaries, Incidentals, etc.....	7,747 24
Interest.....	6,175 50
Attorney-General's Department.....	11,102 30
Bureau of Public Instruction.....	12,632 64
General expenses Provisional Government.....	225 00
Road Taxes to Special Deposits.....	108 00
School Taxes to Special Deposits.....	116 00
Postal Savings Bank withdrawals.....	1,000 00
Treasury Notes paid.....	3,500 00
Payments under Sec. 2.....	75 00
Current Account, balance.....	\$ 96,402 05
	\$158,544 29
Outstanding Bonds.....	\$2,715,200 00
Treasury Notes.....	26,500 00
Due P. S. Bank and P. M. G. Notes.....	682,359 87
Net indebtedness.....	\$3,433,959 87

P. S. BANK MEMO.

Notices this date of withdrawals maturing May, June and July, 1894.....\$ 37,072 00
Cash on hand.....58,214 20

PROVISIONAL GOVERNMENT MEMO.
Exps. Prov. Govt. to date.....\$ 226,819 83
(This amount covers all expenses, including military and items not appropriated by the last Legislature.)

MEMO. CASH IN TREASURY.
Outstanding Certificates.....\$ 312,000 00

Cash in Treasury to redeem all outstanding Certificates.....312,000 00

Cash on hand Postal Savings Bank.....58,214 20
Balance to credit of twenty-six Road Boards in Treasury.....24,855 19

Balance to credit of School Board in Treasury.....7,133 43
Available Cash, Current Account.....185,364 24

Total Cash.....\$ 276,117 02

Due current account from advances to loan fund.....\$ 64,016 26
Due current account from advances to Postal Savings Bank.....6,701 26

MISCELLANEOUS.

Forests and Nurseries.....	\$47 99
Electric Light Repairs, etc.....	550 00
Insane Asylum.....	851 00
Veterinary Surgeon.....	50 00
Fire Department.....	1,310 00
Electrical Registrar.....	50 00
Mausoleum grounds.....	22 50
Public Grounds.....	85 00
Diamond Hd Signal Stn.....	75 00
	\$ 3,562 99

The report was received and placed on file.
The Attorney-General stated that

the Chief Justice had presented his biennial report.

The first part of the report was read by the Attorney-General. It recites the leading facts of the past two years in the Judiciary Department and makes various recommendations.

The Secretary read a communication from the clerk of the Judiciary requesting that if the report was printed the clerk have the opportunity to revise the proofs.

It was ordered that the Judiciary Department call for tenders, as usual. Minister Damon stated that the Finance Department report was being type-written and would be presented next week.

RESOLUTIONS.

Minister Hatch presented a bill making appropriations for the biennial period. He also presented a report from the Lieutenant Colonel.

Mr. Emmeluth said he did not believe in the maintenance of any such military establishment after the Government had assumed a representative form.

The President said the bill was not yet before the house.

The bill took the usual course.

Minister Hatch said the Government did not intend to maintain the existing force, but it did intend, with the approval of the Council, to maintain a sufficient force, not leaving anything to chance.

UNFINISHED BUSINESS.

First reading of the Act amending the Sunday law.

The Act provides that nothing in the Sunday law shall be held to forbid Sunday band concerts.

Mr. Morgan moved, D. B. Smith seconding, that the bill pass.

The Attorney-General opposed the bill, but made no motion against it.

The bill passed to its second reading.

The bill amending the Judiciary Act giving jurisdiction in habeas corpus proceedings to the Circuit Courts passed its first reading.

First reading of the bill amending the law relating to opium importation. The bill changes the method of rewarding informers, fixing it at half the fine and \$1 per pound, and provides for the exportation or destruction of all opium seized. It also lowers the minimum of imprisonment from six months to one month, retaining the maximum of two years. The informer formerly received the proceeds from the sale of one-half of the opium seized. The sale of such seized opium is always troublesome and uncertain, and it has been found better to assess the informer's share at a fixed rate.

The bill passed its first reading and was referred to the Judiciary Committee.

First reading of the bill enlarging the powers of Circuit Courts.

Passed its first reading and referred to Judiciary Committee.

Second reading of the bill relating to Chinese immigration.

The bill was read section by section.

Mr. Tenney moved the clause relating to domestic service be stricken out.

Mr. Wilder said the object of this Act was to further restrict Chinese immigration. If these words were stricken out, the effect would simply be that restriction placed by the bill on agricultural labor would not be placed on domestic labor.

The President said that would be the effect.

The motion to strike out passed.

The allusion to domestic servants was stricken out of the bill and the Act as amended passed its final reading.

Mr. Morgan opposed the bill. It would prevent Chinese coming here altogether, while the planters could still get all the Japanese they wanted. The Japanese were the more dangerous. Mr. Emmeluth would admit that.

Mr. Emmeluth stated that of the two, Chinese were preferable. They were a better and less troublesome class of labor. He would be willing to see a reasonable number of Chinese admitted if the Japanese immigration could be stopped.

Mr. Morgan favored letting all the Chinese needed come in and then stopping all Asiatic immigration.

D. B. Smith thought there was no danger of the country being flooded with Japanese.

Mr. Wilder said while he would vote for this bill he doubted whether any labor could ever be got under it. The bill passed.

ORDER OF THE DAY.

The special order was the recommendations of the committee on the Board of Education. The secretary stated that these recommendations had been submitted to the President of the Board, in accordance with the order of the Councils.

Minister Damon said it was extremely important that the Board of Education should be represented in the Councils. There was nothing of more vital importance than the Board of Education. It should be placed under one of the departments so that one of the Ministers could speak for the Board, in the Councils.

Mr. Tenney inquired if this would require an Act.

The President said it would.

Mr. Tenney moved that the Judiciary Committee be instructed to draw an Act placing the Board under the Minister of Finance.

The Attorney-General said the three remaining boards were all under departments.

The President said that the President of the Board would probably comment on these recommendations in his report.

Mr. Tenney's motion was passed and the recommendations were also referred to the Judiciary Committee.

Mr. Ena moved the bill placing the Insane Asylum under the Board of Health be taken from the table and made the order of the day next Thursday.

The minutes show that the bill was not tabled, but it failed to pass.

The Attorney-General held that the bill could be reintroduced. It amounted to a defeat of the bill, but it could be taken up again.

The President did not see why the bill could not be taken up again.

Mr. Ena moved under suspension of the rules that the bill be reintroduced.

The bill was read by title and took the usual course.

Mr. Emmeluth said he would like to know when the Board of Health intended to appoint a port physician.

A physician was drawing the pay and seemed to be a fixture. He should be appointed, or someone else.

The Attorney-General said the position had been temporarily but excellently filled by Dr. Andrews. There was no salary, but fees paid by the ship. Not every doctor made a good port physician. It wanted a man who could act promptly and wisely in an emergency without unnecessary interfering with commerce. Dr. Andrews had always been ready day or night for duty, and had shown great efficiency and excellent judgment. Dr. Myers had been temporarily appointed, upon the recommendation of Dr. McGrew. He had had a very wide experience, thirty years in similar work in Savannah, and he had given thorough satisfaction to the Board, the medical profession, and the masters of vessels. Not every physician was the right one.

Mr. Morgan asked if there was no physician supporting the Government who could take this place, without calling in a stranger.

The Attorney-General said there were one or two applicants. Some would